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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA       )  
  )  
  )  
v.                                        ) 15 CR 315  
  )  
  ) Judge Durkin  
JOHN DENNIS HASTERT                )

Motion for Leave of Court to be Heard at Sentencing  
as Amicus Curiae or as Part of the Victim Impact Process

Movant undersigned respectfully moves the Court for leave of court to be heard at sentencing on April 27, 2016 either as *amicus curiae* or as part of the victim impact process.

1. Movant's links to Hastert

A. The missing link

The Defendant's congressional office (i.e. the Speaker's Office) was a place where libertine behavior was tolerated. There was widespread awareness and even wider speculation that sexual predators such as former Representative Mark Foley were preying on congressional pages - children who serve the House and Senate with minor clerical duties - but the

Defendant only acted after Foley was exposed, not before. In the hubbub about the Defendant's misconduct "forty years ago" both this Court and media have largely forgotten the Defendant's much more recent proximity to the sexual harassment and possible abuse of congressional pages in the House of Representatives.

**B. Movant's efforts to expose pervasive sexual abuse**

Movant originally linked Defendant to sexual abuses in Congress in 2010. Therefore, long before federal prosecutors stumbled over the current hush-money prosecution, Movant had exposed the links between the Defendant and sexual misconduct being conducted in and around Defendant's Speaker's Office by Mark Foley and others.

**2. Movant's efforts to combat child sexual abuse**

It is a truism that the "cover-up is sometimes worse than the crime." The reason the cover-up of sexual molestation is so serious is because it allows perpetrators to continue on their nefarious course without the ability of society to protect children or stop the pattern of criminal conduct.

Movant is currently leading an independent investigation and efforts to expose a sexual molestation cover-up by Governor Maggie Hassan and her husband Thomas Hassan of abuses at the Phillips Exeter Academy in Exeter, New Hampshire. Thus, just as he was working in 2006-2010 to expose the abuses of Defendant's political associates in Illinois, Movant is currently engaged in

ongoing activism in protecting children and exposing political hypocrisy.

**3. Movant's peripheral status as an attempted victim**

Long ago, Movant was the victim of attempted abuse by a close family friend. The attempt was blocked by Movant. Nevertheless, Movant is personally aware of how insidious sexual abuse can be when adults prey on children due to his own firsthand experience with the (attempted) crime. While he was never actually a victim, the awareness that a family friend could betray both the victim (child) and the family remains with him.

**Conclusion**

For all of the foregoing reasons, Movant has a significant role to proffer at sentencing. He respectfully moves the Court permit him to participate and be heard. This case has drawn widespread cynicism because of the gentle treatment afforded the Defendant (see USA Today, April 15, 2016, "For Hastert, the kid gloves may be on")

<http://www.usatoday.com/story/opinion/voices/2016/04/14/voices-kid-glove-treatment-former-house-speaker/83037634/>.

The Court does justice to the public interest when it permits the broadest possible participation in the Defendant's sentencing proceeding.

Respectfully submitted,



ANDY MARTIN

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Certificate of Service

I certify I have served the undersigned by email as follows on April 16, 2016 (without the attached newspaper article referenced above):

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ANDY MARTIN



**For Hastert, the kid gloves may be on**

## VOICES

**Aamer Madhani**

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**CHICAGO** The lawyers for former House speaker Dennis Hastert, who as a lawmaker championed stiff punishment for child predators, offered a jawdropping retort to allegations that he had molested a boy whom he coached before launching his political career.

The alleged incident, which involved someone federal prosecutors call “Individual A” in court documents, occurred more than 40 years ago in a motel room on the way back from a wrestling camp, where Hastert was the only adult chaperone among at least 10 boys.

“While undoubtedly many would consider this episode as described by (Individual A), consisting of a groin rub for a groin pull and a massage, to be misconduct, we are not so certain that the incident qualifies as sexual misconduct, especially for a coach and trainer forty-two years ago,” the attorneys said in their filing this week.

That legal jujitsu on behalf of the man who was once two heartbeats from the presidency comes as Hastert is set to learn on April 27 whether his fall from grace will include prison time.

The statute of limitations has long expired for the abuse alleged by Individual A and four other teens, who prosecutors say were sexually abused by Hastert during his time as a revered wrestling coach and high school teacher in Yorkville, Ill., a community west of Chicago.

Instead, prosecutors got Hastert for illegally structuring bank withdrawals — a financial crime he admits he committed as part of a scheme to pay for Individual A’s silence. Prosecutors have recommended that the ex-lawmaker receive a maximum of six months in prison.

Federal authorities began investigating Hastert in 2013 after they caught wind of high-dollar withdrawals from his personal bank accounts, which he set up to prevent banks from flagging the IRS as required by an antiterrorism law that he backed when he was in Congress.

His legal team says Hastert has been punished enough with his public shaming and should be spared prison. The Hastert lawyers also contend that the judge should consider their client’s history of public service and his poor health. (He recently had a small stroke and was hospitalized for a blood infection.) For outsiders, including journalists like me who have covered the proceedings since he was indicted in May, it’s hard not to wonder whether the former speaker has already been shown a measure of deference that wouldn’t have been extended had he simply been a high school wrestling coach.

When the indictment was announced last year, prosecutors were tight-lipped about the specific nature of his wrongdoing. They said that the bank fraud was related to payoffs that Hastert made to someone from his past in Yorkville for unspecified misconduct years ago. Law enforcement sources, who insisted on anonymity, quickly leaked to USA TODAY and other media outlets that the payoff was for sexual abuse of a male student.

In fact, prosecutors didn’t publicly air the allegations of sexual misconduct by Hastert until last month when they



announced they planned to call on a man, known as Individual D, who alleges Hastert abused him when he was on his wrestling team years ago as well as the sister of another alleged victim.

It wasn't until last week that prosecutors said, in their presentencing memo, that Hastert lied to federal authorities and falsely claimed through an attorney that Individual A was extorting him. After asking Hastert to record his conversations with the now middle-age Individual A, they learned it was Hastert who insisted on keeping their \$3.5 million deal off the books.

Prosecutors declined to request that Hastert's lie to authorities should be considered an aggravating factor in his sentencing. Judge Thomas Durkin, however, indicated on Wednesday that he would consider it.

Earlier this week, I was running late after a Hastert hearing to meet with my wife and our daughter's teacher. When I finally arrived, the teacher, Alison Bigane, told me she had been following Hastert's case. His lawyers' persistent push for the court to show mercy on him because of his poor health had triggered a piercing memory.

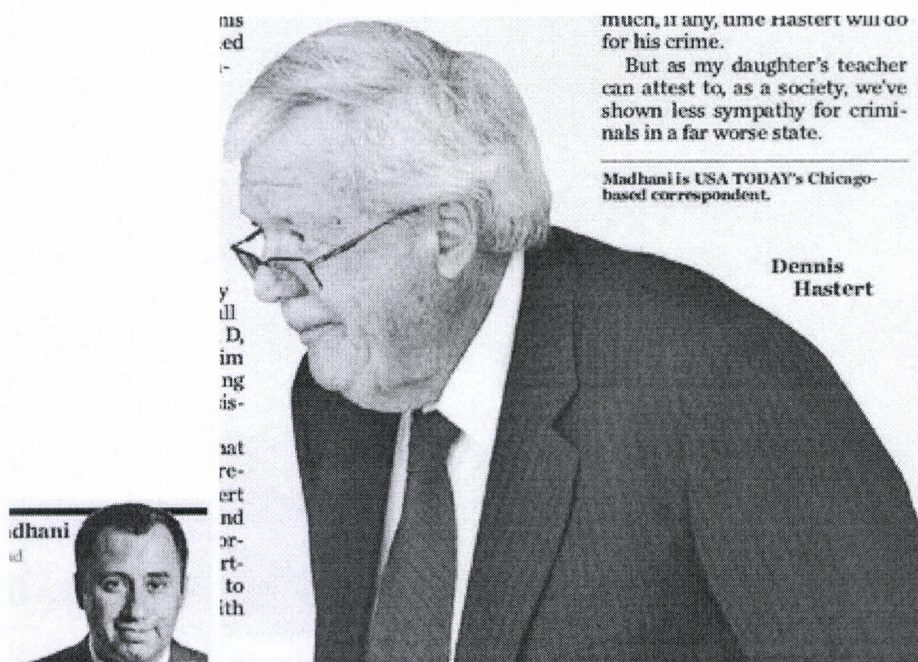
Just a few years back, Ms. Alison had been diagnosed with cancer and endured months of successful chemotherapy treatment. One of her memories from those sessions was the depressing scene of incarcerated women being brought in from a prison for radiation. Those women had to keep their shackles on as they went through treatment.

We'll learn soon enough how much, if any, time Hastert will do for his crime.

But as my daughter's teacher can attest to, as a society, we've shown less sympathy for criminals in a far worse state.

**Madhani is USA TODAY's Chicagobased correspondent.**

**His legal team says Hastert has been punished enough with his public shaming.**



**Dennis Hastert**